

House File 220 - Introduced

HOUSE FILE 220

BY JACOBY

A BILL FOR

1 An Act relating to the registration, titling, and operation of
2 vehicles damaged by hail.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.30, subsection 1, paragraph b, Code
2 2021, is amended to read as follows:

3 b. That the vehicle is mechanically unfit or unsafe to be
4 operated or moved upon the highways, providing such condition
5 is revealed by a member of ~~this~~ the department, or any peace
6 officer. This paragraph does not apply to vehicles damaged by
7 hail, so long as the hail damage is limited to changes in the
8 physical appearance of the vehicle that do not impede or hinder
9 the normal operational function of the vehicle, including but
10 not limited to dents, scratches, abrasions, and changes in
11 color, texture, and finish.

12 Sec. 2. Section 321.381, Code 2021, is amended to read as
13 follows:

14 **321.381 Movement of unsafe or improperly equipped vehicles.**

15 It is a simple misdemeanor punishable as a scheduled
16 violation under [section 805.8A, subsection 3](#), for any person to
17 drive or move or for the owner to cause or knowingly permit to
18 be driven or moved on any highway any vehicle or combination
19 of vehicles which is in such unsafe condition as to endanger
20 any person, or which does not contain those parts or is not
21 at all times equipped with such lamps and other equipment in
22 proper condition and adjustment as required in [this chapter](#),
23 or which is equipped with one or more unsafe tires or which is
24 equipped in any manner in violation of [this chapter](#). Vehicles
25 damaged by hail, which damage is limited to changes in the
26 physical appearance of the vehicle that do not impede or hinder
27 the normal operational function of the vehicle, including but
28 not limited to dents, scratches, abrasions, and changes in
29 color, texture, and finish, shall not be considered to be in
30 such unsafe condition as to endanger any person for purposes of
31 this section.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with
34 the explanation's substance by the members of the general assembly.

35 Under current law, vehicles must be mechanically fit and

1 safe to be operated or moved upon the highways. Members of
2 the department of transportation (DOT) or peace officers may
3 reveal unsafe vehicle conditions that require the DOT and
4 county treasurers to refuse to register and issue or transfer a
5 certificate of title for a vehicle. It is a simple misdemeanor
6 punishable by a scheduled fine of \$135 for any person to drive
7 or move or for the owner to cause or knowingly permit to be
8 driven or moved on any highway any vehicle or combination of
9 vehicles which is in such unsafe condition as to endanger
10 any person. It is also a simple misdemeanor punishable by a
11 scheduled fine of \$70 to drive a motor vehicle equipped with
12 a windshield, sidewing, or side or rear window which does not
13 permit clear vision. A peace officer is authorized to stop a
14 vehicle to inspect the condition of the vehicle.

15 This bill specifies that vehicles impacted by cosmetic hail
16 damage are not mechanically unfit or unsafe to be operated or
17 moved upon the highways nor are they considered to have an
18 unsafe condition as to endanger any person.